

Alerta de Artículos Recientes y Sitios en Internet en
Política, Democracia y Derechos Humanos

01/05

March 1, 2005

ADMINISTRACIÓN DE JUSTICIA:

1. MUD AND MONEY. Terry Carter. "ABA Journal"- Vol. 91, February 2005

The author discusses the influence of special interest groups and television ads on judicial elections. Last years, according to the author, attack or support ads for judicial candidates appeared in all 15 states where the Supreme Court seats were in play, up from only four states in 2000. Carter explores whether the ads, which include attacks on decision made by incumbent judges on issues ranging from criminal matters to abortion, are damaging the public's confidence in the judiciary. The article also discusses efforts to reform judicial election law, including North Carolina's establishment of publicly financed judicial campaigns.

2. THE RULE OF LAW IN AN AGE OF TERROR. John J. Farmer, Jr. "Vital Speeches of the Day" – December 1, 2004

Address by John J. Farmer, Jr., Former Attorney General, New Jersey and Senior Counsel, 9/11 Commission. Delivered to the 2004 Paul Miller Distinguished Lecture, Rutgers University School of Law, Newark, New Jersey, November 10, 2004.

AMÉRICA LATINA:

3. HORIZONTAL ACCOUNTABILITY IN TRANSITIONAL DEMOCRACIES: THE HUMAN RIGHTS OMBUDSMAN IN EL SALVADOR AND GUATEMALA. Michael Dodson and Donald Jackson. "Latin American Politics and Society" – Winter 2004

Postwar El Salvador and Guatemala have undertaken to reform and democratize the state and to support the rule of law. Each country entered the 1990s hobbled by a legacy of authoritarian rule, while a corrupt and politicized judiciary offered virtually no check on

the abuse of power. Because the judiciary has performed poorly as an institution of horizontal accountability, this article examines the performance of a new “accountability agency,” the Human Rights Ombudsman. The article discusses the context in which the office was established and developed in each country, perceptions of its performance, and political responses as the office began to perform its function of holding public officials accountable in their exercise of power.

4. MEXICAN INTELLIGENCE AT A CROSSROAD. Christophe Leroy. “The SAIS Review” – Winter-Spring 2004

Following Vicente Fox’s presidential election in 2000, movement toward reform of Mexico’s intelligence community emerged as one of the issues the new administration intended to address. The appointment of Adolfo Aguilar as National Security Advisor heralded a change in Mexico’s traditional national security policymaking mechanisms, product of the 71-year rule of the Revolutionary Institutional Party. An examination of the Center of Intelligence and National Security and its legal underpinnings, along with an assessment of other underlying problems afflicting the wider intelligence community in Mexico reveal the challenges and pitfalls that confronted early reform attempts by the Fox administration. With this background in mind, an overview of two specific intelligence reform bills recently introduced by opposition parties in Congress reveal the priorities legislators had in mind for overhauling the state security apparatus. Nevertheless, the slow pace of reform leaves unanswered several national security and intelligence challenges facing the Mexican state as the country grapples with an unprecedented political transition, explains the author.

DEMOCRACIA:

5. MIDDLE EAST DEMOCRACY. Marina Ottaway and Thomas Carothers. “Foreign Policy” – November/December, 2004

The author argues that people in the Middle East want political freedom, and their governments acknowledge the need for reform. Yet the region appears to repel democracy. Arab regimes only concede women’s rights and elections to appease their critics at home and abroad. If democracy arrives in the Middle East, it won’t be due to the efforts of liberal activist or their Western supporters but to the very same Islamist parties that many now see as the chief obstacle to change.

6. CONSTITUTIONAL MEDICINE. Andrew Reynolds. “Journal of Democracy” – January 2005

The author uses the methodology of medical diagnosis and treatment to describe the progress of nations struggling to move toward democratization. Reynolds asserts that constitutional design is at the heart of efforts to bring peace and self-government to some of the world’s most troubled lands. The constitutional expert looks at an ailing society and tries to map a path to a long-term health (robust levels of peace, prosperity and self-

government). He suggests that the medical model with five steps could be adapted to create a meaningful diagnosis when based on sound case-by-case judgments.

7. AN ISLAMIC DEMOCRACY FOR IRAQ? Ian Buruma. "The New York times Magazine" – December 5, 2004

With the Shiite majority's leaders firmly supporting the January 30 elections, the democratization of Iraq is going forward, Buruma says. The religious leaders' involvement has caused concerns about "Islamic democracy." This form of government has hardly been tried, Buruma says. Islamic countries have much more experience with secular leaders establishing dictatorships—Turkey, Egypt, Indonesia, Iran under the Shah, and Iraq—than with Islamic rulers abusing secular power. The form of Iraq's democracy is not yet clear. To assure a good start, all groups in Iraq—including the Sunnis—must participate in the January vote.

DERECHOS HUMANOS:

8. HOW INTERNATIONAL HUMAN RIGHTS ORGANIZATIONS CAN ADVANCE ECONOMIC, SOCIAL, AND CULTURAL RIGHTS: A RESPONSE TO KENNETH ROTH. Leonard S. Rubenstein. "Human Rights Quarterly" – November 2004

International human rights organizations can play a productive role in advancing economic, social, and cultural rights. They can (1) collaborate with partner organizations in the developing world in lobbying for systems of services that meet needs in a manner consistent with human rights requirements; (2) advocate for

resources to fulfill economic, social and cultural rights, especially by lobbying for funds from wealthy countries; and (3) monitor compliance by states with the increasingly explicit obligations, including core obligations, to protect, respect and fulfill these rights. To engage in these activities, international human rights organizations can build on the analytical capacity and other strengths they have developed in advancing civil and political rights but need to develop additional methods and competencies. At the same time, they will need to deepen partnerships with national and community-based organizations.

9. MEASURING HUMAN RIGHTS: PRINCIPLE, PRACTICE, AND POLICY. Todd Landman. "Human Rights Quarterly" – November 2004

This paper demonstrates why human rights measurement is important, how human rights have been measured to date, and how such measures can be improved in the future. Through focusing primarily but not exclusively on the measurement of civil and political rights, the paper argues that human rights can be measured in principle, in practice and as outcomes of government policy. Such measures include the coding of formal legal

documents, events-based, standards-based, and survey-based data, as well as aggregate indicators that serve as indirect measures of rights protection. The paper concludes by stressing the need for continued provision of high quality information at the lowest level of aggregation, sharing information and developing an ethos of replication, and long term investment in data collection efforts.

DROGAS Y NARCOTRÁFICO

10. DRUGS – WINNING THE WAR. Karen P. Tandy. “Vital Speeches of the Day” – December 1, 2004

Address by Karen P. Tandy, Administrator, Drug Enforcement Administration. Delivered to the Central Ohio Crime Stoppers Breakfast, Columbus, Ohio, October 26, 2004.

ESTADOS UNIDOS DE AMÉRICA

11. NO COUNTRY LEFT BEHIND. Colin L. Powell (served as U.S. secretary of state during President George Bush’s first term). “Foreign Policy” – January/February, 2005

Development is not a “soft” policy goal, but a core national security issue, says the author, as he draws the main lessons of his four years as U.S. secretary of state. However, contrary to what critics say, the best way to lift millions out of poverty is not to increase levels of foreign aid. Instead, the United States must engage in tough love and demand that corrupt, autocratic regimes change their ways.

12. UNITED STATES AND EUROPE – STANDING TOGETHER AGAINST COMMON ENEMIES. John McCain. “Vital Speeches of the Day” – January 1, 2005

Address by John McCain, United States Senator from Arizona. Delivered while on a Congressional Delegation to Western Europe, the University Philosophical Society, Trinity College, Dublin, Ireland, December 12, 2004.

13. SWEETHEART DEALS. Alan Greenblatt. “Governing” – December 2004

To save money and increase government efficiency, the public sector increasingly relies on the services and specialized expertise of private companies. Privatization is a “growth industry in all levels of government,” writes Greenblatt. But recent high-profile allegations of favoritism and collusion in the awarding of government contracts have prompted closer scrutiny of the government contract process. Greenblatt cites examples of both problems and reform from around the country.

PAZ Y SEGURIDAD:

14. THE FBI – IMPROVING INTELLIGENCE FOR A SAFER AMERICA. Robert S. Mueller, III. “Vital speeches of the Day” – December 1, 2004

Address by Robert S. Mueller, III, Director of Federal Bureau of Investigation.
Delivered to the Town Hall Los Angeles, Los Angeles, California, November 15, 2004.

15. ENSEÑANZA DE LAS RELACIONES ENTRE CIVILES Y MILITARES.

Thomas C. Bruneau. Obtenido de Internet:

<http://usinfo.state.gov/journals/itps/1104/ijps/bruneau.htm>

El autor nos dice que el Centro de Relaciones entre Civiles y Militares en Monterey, California, ayuda a las naciones a resolver problemas resultantes de la transformación de la defensa, las operaciones de estabilidad y apoyo, el terrorismo y otros retos a la seguridad. En los últimos dos años, el Centro ha colaborado con casi 7,000 oficiales militares y civiles extranjeros en programas dictados en países anfitriones y Estados Unidos.

16. EDUCACIÓN Y ENTRENAMIENTO – UNA BASE COMÚN PARA LA SEGURIDAD. Lincoln P. Bloomfield, Jr. Obtenido de Internet:

<http://usinfo.state.gov/journals/itps/1104/ijps/bloomfield.htm>

El Programa Internacional de Educación y Entrenamiento Militares (IMET) es importante hoy más que nunca, debido a los serios problemas de seguridad que enfrentan juntos los países del mundo. El entrenamiento que ofrecen los IMET ha ayudado a las instituciones de defensa a mejorar sus capacidades de defensa nacionales, planificar y ejecutar las reformas de defensa y desarrollar las capacidades para abordar mejor las amenazas nacionales a la seguridad, explica el autor.

TERRORISMO:

17. TERRORISM GOES TO SEA. Gal Luft and Anne Korin. “Foreign Affairs” – November/December 2004

The number of pirate attacks worldwide has tripled in the past decade, and new evidence suggests that piracy is becoming a key tactic of terrorist groups. In light of al Qaeda’s professed aim of targeting weak links in the global economy, this new nexus is a serious threat: most of the world’s oil and gas is shipped through pirate-infested waters, say the authors.

18. HUMAN RIGHTS AND TERRORISM. Paul Hoffman. “Human Rights Quarterly” – November 2004

In this article, Paul Hoffman, the Chair of the International Executive Committee of Amnesty International, presents Amnesty's view that the way in which the "war on terrorism" has been waged threatens to undermine the international human rights framework so painstakingly built since World War II. Written before the Abu Ghraib revelations became public, the paper argues that abandoning human rights in times of crisis is shortsighted and self-defeating. A "war on terrorism" waged without respect for the rule of law undermines the very values that it presumes to protect. We must restore the balance between liberty and security by reasserting the human rights framework, which provides for legitimate and effective efforts to respond to terrorist attacks, says the author.

19. TRANSNATIONAL TERROR AND ORGANIZED CRIME: BLURRING THE LINES. Thomas M. Sanderson. "The SAIS Review" – Winter-Spring 2004

The global war on terrorism is constricting the flow of financial support to terror groups. To circumvent these measures, transnational terrorist organizations are moving deeper into organized criminal activity. This transition poses a tremendous challenge to states struggling with a threat that has changed significantly since September 11. As terror groups transform into hybrid criminal/terror entities and partner with criminal syndicates, the threat to the United States and other nations rises in complexity, demanding a highly flexible, tailored response, says the author.

20. EMPUJAR A LA QUIEBRA A LOS TERRORISTAS. Juan Carlos Zárate.
Obtenido de Internet:
<http://usinfo.state.gov/journals/ites/0904/ijes/zarate.htm>

La campaña para evitar que caigan dineros en manos de los terroristas se ha convertido en eje de la guerra que se libra contra el terrorismo. Mediante una estrategia concentrada en un determinado objetivo, Estados Unidos y sus socios en todo el mundo han aunado sus facultades económicas, de aplicación de la ley y de análisis de inteligencia para aislar y desbaratar la infraestructura financiera de las

redes terroristas. Los beneficios tienen un efecto múltiple. El intercambio de información financiera nos ayuda a descubrir las redes, en tanto que la congelación de sus activos y otras sanciones económicas inhiben su capacidad de realizar atentados, mantener sus alianzas, crear infraestructuras en el mundo y desarrollar armas. Los resultados hasta hoy son alentadores y prometen fortalecer la capacidad de los países de proteger el sistema financiero y sus partidarios, dice el autor.

VARIOS

21. CHINA RISING. "Foreign Policy" (Special Report). January/February 2005

Nothing is changing the world's political and economic landscape more than China's joining the ranks of the great powers. Last fall, the Carnegie Endowment for International Peace convened some of the world's leading thinkers on China to assess the

consequences of the country's rapid ascent. FP asked seven of these experts to discuss the Middle Kingdom's return to greatness. Among them: Jonathan D. Spence, Zbigniew Brzezinski, Martin Wolf, Ashley J. Tellis.

22. EL CAMBIO QUE SE ESTÁ GESTANDO EN EL PODER GLOBAL. James F. Hoge, Jr. "Foreign Affairs" en español – Octubre/Diciembre 2004

Los cambios en el poder global suceden rara vez y con menos frecuencia de manera pacífica. Washington debe prestar atención, Asia está creciendo con rapidez, y el crecimiento de su poder económico se está convirtiendo en fuerza política y económica. Occidente debe adaptarse, o se quedará a la zaga, dice el autor.

23. EL MITO DEL MILAGRO CHINO. George J. Gilboy. "Foreign Affairs" en español – Octubre/Diciembre 2004

Washington no necesita preocuparse por el auge económico chino, y mucho menos responder con proteccionismo. Si bien China tiene hoy más que nunca un control mayor de las exportaciones mundiales, sus industrias de alta tecnología y alto rendimiento son dominadas por compañías extranjeras, y las firmas chinas no las desplazarán en un futuro cercano. La política unipartidista de Beijing ha creado una tímida cultura empresarial que impide a sus empresas desarrollar tecnologías claves y las mantiene dependientes de Occidente, dice el señor Gilboy.

SITIOS EN INTERNET PARA ENCONTRAR INFORMACIÓN SOBRE TEMAS DE POLÍTICA, DEMOCRACIA Y DERECHOS HUMANOS:

USINFO – Human Rights

http://usinfo.state.gov/dhr/human_rights.html

USINFO – Democracy

<http://usinfo.state.gov/dhr/democracy.html>

PBS – "Not for ourselves alone"- The Women's Suffrage Movement
(Audiovisual)

<http://www.pbs.org/stantonanthony>

Center for Responsive Politics

<http://www.opensecrets.org/home>

ABC News Political Unit

<http://abcnews.go.com/sections/politics>

Cook Political Report

<http://www.cookpolitical.com>

Washington Times – Nation/Politics

<http://www.washingtontimes.com/national>

Republican National Committee
<http://www.rnc.org>

Pew Research Center for the People and the Press
<http://people-press.org>

Center for American Women and Politics
<http://www.rci.rutgers.edu/~cawp>

International Journal of Constitutional Law
<http://www3.oup.co.uk/jnls/list/ijclaw/default.html>

Guide to Foreign and International Legal Databases
http://www.law.nyu.edu/library/foreign_intl

Federal Judicial Center
<http://www.fjc.gov>

Death Penalty Information Center
<http://www.deathpenaltyinfo.org>

American Bar Association
<http://www.abanet.org>

National Bar Association
<http://www.nationalbar.org>

Women's Bar Association of the District of Columbia
<http://www.wbadc.org>

Association For Conflict Resolution
<http://www.acrnet.org>

National Legal Center for the Public Interest
<http://www.nlcpi.org>

Alliance for Justice
<http://www.afj.org>

International Court of Justice
<http://www.icj-cij.org>

Human Rights Internet
<http://www.hri.ca/welcome.asp>

Center for Individual Rights
<http://www.cir-usa.org>

National Rights to Life
<http://www.nrlc.org>

Bases de Datos Políticos de las Américas
<http://www.georgetown.edu/pdba/spanish.html>

The Brookings Institution: Center on the United States and Europe
http://www.brookings.edu/fp/cuse/center_hp.htm

Rand Corporation
<http://www.rand.org>

Asia Pacific Group on Money Laundering
<http://www.apgml.org>

Financial Services Authority
Terrorist Financing and Sanctions Information
http://www.fsa.gov.uk/pubs/other/us_events

Financial Action Task Force on Money Laundering
Special Recommendations on Terrorist Financing
October 2001
http://www1.oecd.org/fatf/SrecoTF_en.htm

World Movement for Democracy
<http://www.wmd.org>

OEA – Departamento para Asuntos Democráticos y Políticos
http://www.upd.oas.org/lab/main_spa.html

USINFO – Outline of the U.S. Government
<http://usinfo.state.gov/products/pubs/outusgov>

Basic Readings of U.S. Democracy
<http://usinfo.state.gov/usa/infousa/facts/democrac/demo.htm>